

REMARKS

Claims 1-11, 13-15, 17-25 and 40 are now pending in the application. The Examiner is respectfully requested to reconsider and withdraw the rejection(s) in view of the amendments and remarks contained herein.

REJECTION UNDER 35 U.S.C. § 103

Claims 1-4, 7-11, 14-15, 17-19, 21, 22, 24 and 25 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Creavey (U.S. Pat. No. 3,033,582, hereinafter "Creavey") in view of Dugge (U.S. Pat. No. 4,768,684, hereinafter "Dugge"). This rejection is respectfully traversed.

Claims 17 and 40 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Jackson (U.S. Pat. No. 2,513,178, hereinafter "Jackson") in view of Dugge. This rejection is respectfully traversed.

Claims 5, 6, 13 and 23 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Creavey in view of Dugge, and further in view of Combet et al. (U.S. Pat. No. 6,390,479, hereinafter "Combet"). This rejection is respectfully traversed.

Claim 20 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Creavey in view of Dugge, and further in view of Lucas et al. (U.S. Pat. No. 4,635,949, hereinafter "Lucas"). This rejection is respectfully traversed.

Applicants note that each of the independent claims 1, 10, and 17 includes limitations directed to the stopper members being formed independently of the carrier member.

The Examiner has rejected independent claims 1, 10 and 17 on new grounds found in the Dugge patent. The Examiner asserts that Dugge teaches a stopper member formed independently from a carrier member. Applicants respectfully disagree with the Examiner's interpretation of the Dugge reference.

With respect to Figure 3 of Dugge, Applicants note that what the Examiner calls the "carrier member (11)" is actually the flange (11) of the outlet frame of the pneumatic outlet of a hopper (1) as is clearly shown in Figures 1 and 2. However, the Examiner acknowledges that in the embodiment of Figure 3, the stoppers are formed integrally with the flange (11).

With respect to Figure 4, Dugge actually refers to a retrofit gasket assembly (45). The Examiner states that "the stoppers are formed independently from the carrier (11) by metal portion (47)." Applicants respectfully disagree with this interpretation. While the ends (numbered 53, 55) of the spacer (47) may serve as stoppers, the flange (11) certainly would not serve as a carrier. If anything were considered a carrier in Figure 4, it would likely be the recessed portion of the spacer (47). Dugge specifically states that the recesses in the spacer (47) are intended to house the gaskets (65, 67) and even explains ways that they may be coupled to one another (col. 5, lines 18-45). As a result of the spacer 47 including both the stoppers and the carrier, the stoppers and the carrier are integrally formed in Figure 4 of Dugge. This teaches away from the present invention, which requires the first and second stopper members to be independently formed from the carrier. Applicants submit that even if the flange 11 of Dugge is a "carrier" in the embodiment of Figure 3, it is not properly construed as a "carrier" in the

separate embodiment of Figure 4 which clearly provides a different carrier 47 separate from the flange 11.

As such, Applicants respectfully submit that claims 1-11, 13-15, 17-25 and 40 are in condition for allowance. Therefore, reconsideration and withdrawal of the rejections are respectfully requested.

CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (734) 354-5445.

Respectfully submitted,

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